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Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HACK TOWNSEND CULLING, JR.,

Defendant.

CASE NO. 2:20-CR-00029-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 3, 2020
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 3, 2020.
2. By this stipulation, defendant now moves to continue the status conference until November 16, 2020, and to exclude time between August 3, 2020, and November 16, 2020, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes police reports, body camera recordings, and photographs. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant desires additional time to conduct defense investigation,

consult with his client, review the discovery, and otherwise prepare for trial in this matter.

c) Additionally, counsel for the defendant has retained a DNA expert and has requested that the United States conduct follow up DNA testing. The follow up DNA testing is currently in progress.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of August 3, 2020 to November 16, 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 28, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ JUSTIN L. LEE
JUSTIN L. LEE
Assistant United States Attorney


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2 Dated: July 28, 2020

/s/ DOUGLAS J. BEEVERS
DOUGLAS J. BEEVERS
Counsel for Defendant
HACK TOWNSEND
CULLING, JR.

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FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: July 28, 2020


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE